

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALLEN PERRY, agent of)	
FERN BUSH ELLIOTT,)	
)	
Plaintiff,)	Case No. 1:11-cv-234-SJM-SPB
)	
v.)	
)	
MICHAEL E. DUNLAVEY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on October 6, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on August 1, 2012 [42], recommends that: (1) the motion to dismiss filed on behalf of Defendants Michael E. Dunlavey, Court of Common Pleas of Erie County, Roger Richards, John Munch, and Inez Massella [29] be granted; (2) the motion to dismiss filed on behalf of Defendants James Warmbrodt and Weltman, Weinberg & Reis Co., LPA [31] be granted; and (3) the motion to dismiss filed by Defendant Discover Bank [36] be granted.

Plaintiff was allowed fourteen (14) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at Plaintiff's last known address of record. No objections to the Report and Recommendation have been filed to date. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 23rd Day of August, 2012;

IT IS ORDERED that the motion to dismiss filed on behalf of Defendants Michael E. Dunlavey, Court of Common Pleas of Erie County, Roger Richards, John Munch, and Inez Massella [29] shall be, and hereby is GRANTED.

IT IS FURTHER ORDERED that the motion to dismiss filed on behalf of Defendants James Warmbrodt and Weltman, Weinberg & Reis Co., LPA [31] shall be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that the motion to dismiss filed by Defendant Discover Bank [36] shall be, and hereby is, GRANTED.

The Report and Recommendation of Magistrate Judge Baxter, filed on August 1, 2012 [42], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter